

1 **ON FEBRUARY 25, 2015 AT 6:00 P.M. THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL**
2 **CHAMBERS LOCATED AT 147 N 870 WEST HURRICANE, UT**
3

4 **Members Present:** John Johnson, Yovonda Hall, Branden Anderson, Bill Wilkey, Ralph Ballard, Bob Petersen, Ryan
5 Cashin, Paul Farthing
6

7 **Staff Present:** Planning Director Toni Foran, Planning Assistant Cindy Hyatt, City Council Representative Darin
8 Larson and City Attorney Fay Reber
9

10 The meeting was called to order by Chairman Cashin at 6:00 p.m. The Pledge of Allegiance was led by Yovonda
11 Hall and Brandon Anderson offered the prayer. Roll call was taken.
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13 **Approval of agenda:** Yovonda Hall motioned to approve the February 26, 2015 agenda as posted. John Johnson
14 seconded the motion. Motion carried with all Commissioners voting aye.
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16 Chairman Cashin opened the public hearing at 6:07 p.m. for comments on the following; **a zone change request**
17 **by Gemstone Properties for 11.995 acres located at approximately 2700 W 240 North change from**
18 **PDO/Mobile Home-RV to PDO/Single Family Residential R-1-8 to add further phases of Sky Ridge Subdivision**
19

20 Frank Lindhardt, representative from Gemstone Homes, stated the upper two thirds on the map is the existing
21 Sky Ridge Subdivision and the property in question is the odd shape along the bottom. He explained it is an odd
22 shape because it is sitting above Canyons RV thirty to fifty feet. He stated this is the only property they can get
23 to drain into the existing sewer line; all the other property will have to wait for a future sewer line. He stated
24 they would like to purchase this property to extend the Sky Ridge Subdivision. This phase would have forty three
25 lots. He explained the previously approved 60 acres, are zoned the same as the proposed change to R1-8 with a
26 PDO overlay. He stated this overlay allows them flexibility in the setbacks and layout of the homes. He feels
27 they build a very clean subdivision that is self-maintained by the home owners. He stated one of their
28 attractions is the RV pad build on each lot. He handed out pictures of existing homes in the subdivision. He
29 explained there is a five foot setback on one side and 10 feet on the other side which actually gives about
30 eighteen feet in between structures to allow people to use that space for their toys. He feels this PDO allows
31 people to keep their vehicles off street which creates a cleaner neighborhood.
32

33 Debbie Proball, who lives adjacent to the zone change property, stated she was previously here in 2006 when
34 Scott Hill tried to build on this property. She stated when they built their home in 2001 they chose this lot
35 because of the surrounding areas and the views. She prefers no zone change in her back yard. She stated
36 developers know how to word these applications with their best interests in mind. She has concerns with the
37 PDO overlay because it allows them too much flexibility with the setbacks. She feels the rear setback of ten feet
38 is more like a path than a back yard. She stated her suggestions is to do a zone change to R1-8 not PDO which
39 would put into effect a City ordinance that requires a thirty foot buffer area and fence between the zones. She
40 stated she does have a question on the ten foot easement in the back of her yard. She wasn't sure if it belonged
41 to her or not and if it does, she would like it left clear. She stated it was her understanding the double wall for
42 sewer hookup would be built a short distance and not necessarily behind her house; however Mr. Lindhardt told
43 her it would. She stated if any of the changes take place, she would like a signed development agreement
44 between Gemstone and City of Hurricane stating there will be a thirty to forty foot space between her property
45 and the neighboring fence. She mentioned the current street lights are blinding even at 600 feet from her
46 property and asked if they could be different if the new phase is built. She stated the night sky is diminished and
47 she feels down lights should be required. She stated there is a lot of equipment behind her house. She asked
48 how long after a phase is completed the equipment stay. She is concerned with the amount of noise and dust

1 already and is worried this phase will only create more. She expressed as a tax paying citizen, she wants her
2 concerns heard and addressed. She is against this zone change.

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4 Chairman Cashin closed the public hearing at 6:21 p.m.

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6 **2015-ZC-01 Consideration and possible recommendation to the City Council on proposed zone change on**
7 **11.995 acres located at approximately 2700 W 240 North from PDO/Mobile Home RV to PDO/ Single Family**
8 **Residential R-1-8 to add further phases of Sky Ridge Subdivision – Gemstone Properties applicant and**

9
10 **2015-PSP-01 Consideration and possible recommendation to the City Council on a proposed preliminary site**
11 **plan for a PDO on the above described property to add further phases of Sky Ridge Subdivision – Gemstone**
12 **Properties applicant**

13
14 Paul Farthing excused himself from the discussion, stating he is a current land owner and would like to abstain.
15 Toni Foran thanked Mr. Lindhardt for taking the time to come in and go over the staff comments beforehand.
16 She stated they found the correct Sky Ridge Preliminary Plat for the other phases. She explained comment #1 on
17 the staff comments is true, they no longer connect; however comment #2 is satisfied with the correct
18 preliminary plat. The park space wasn't eliminated because it was not on an approved plan. She stated the
19 detention basin is new but Mr. Lindhardt is aware it is required. The lot sizes are bigger and the roads have
20 changed from straight to curved. She mentioned these changes help eliminate some knuckles and double
21 frontage lots. She stated the original plat showed 292 lots and there is a total of 224 lots. She stated the project
22 is getting further from the main access point and by eliminating the lower street connection, emergency access
23 can be a problem. She stated the applicant will need to talk to the fire chief regarding the proposed emergency
24 access. Ms. Foran stated she spoke with Mr. Lindhardt and he agreed to stub the farthest east road east to the
25 south property line for future connectivity. She mentioned this might give the applicants an alternative
26 emergency access if the neighboring property owners agree to it. Ms. Foran stated she did walk the property
27 and she didn't see any difference between the new PDO zoned phases and old straight zoning phases in the
28 design of the project. She stated the buffer zone is in the ordinance but it hasn't been enforced in previous
29 phases; however, she doesn't see how an ordinance can be ignored. Yovonda Hall clarified if it is PDO, it requires
30 the buffer zone but if it is R1-8 it doesn't. Ms. Hall asked how the PDO zoning helps the applicant. Frank
31 Lindhardt stated the smaller side setbacks help so they can put in the RV pads creating a more usable side yard.
32 By doing this, it keeps the trailers and toys off the road keeping the neighborhood cleaner. Ms. Hall questioned if
33 there isn't a homeowners associations then how do they enforce no parking on the street and other things. Mr.
34 Lindhardt stated the ACC can enforce the CCR's. Ms. Hall asked the present homeowners what they found
35 alarming by the PDO zoning. Ms. Proball stated her concerns are how close to her back property line people will
36 be, the ten foot easement and her view being blocked. She asked Mr. Lindhart the distance between her back
37 fence and the proposed fence. Ms. Hall clarified the rear setback is ten feet making the potential distance from
38 Ms. Proball's property twenty five feet. Mr. Lindhart stated he doesn't have a problem with applying the front
39 setback to the back of the lots in this section. Ms. Foran stated that would make the front and back setbacks
40 twenty five feet. Ralph Ballard asked the applicant how he would accommodate those setbacks on the front and
41 back of the lots. Mr. Lindhardt stated he would build smaller homes on those lots. Ms. Hall stated she is
42 surprised to hear there is protest over having a single family home rather than a RV behind their property. She
43 clarified with the homeowners if it was because of height issues. Ms. Proball stated yes and having a permanent
44 structure blocking her view. Ms. Hall stated she has sympathy for the homeowners that buy for a reason but
45 she also understands every landowner has the right to do what they wish with their property. She stated
46 whoever owns the property has the right to develop it to the zone. Mr. Lindhardt stated he is willing to have a
47 condition that the roof pitch will be 4:12 behind the lots backing existing Sky Ridge homes. It was determined
48 eight lots would be effected. Ms. Proball stated the map doesn't show the fence thirty feet from her wall.

Chairman Cashin explained this is a concept plan and that can be shown on the preliminary plat. Mr. Lindardt stated he talked to the City Engineer regarding access and he agreed to punch the road straight through. He has also talked to the Fire Chief who suggested having a temporary third access to the property. He stated he has no problem putting conditions on the approval stating that must be worked out before completion. Chairman Cashin asked what setbacks are for R1-6 zone. Ms. Foran stated eight feet on both sides. Chairman Cashin asked if the applicant isn't approved for the PDO overlay, would he consider R-1-6 zoning. Mr. Lindhardt stated it would take away three feet and change everything they are doing. Chairman Cashin stated he doesn't like to see things change in the middle of projects, it makes them look added on. He likes to see things built the same way all the way through. Branden Andersen asked for clarification on what the phases are. Mr. Lindhardt explained on the map given, the last street is not built yet and in the development, each street will be a new phase. Ms. Foran pointed out the phase lines on the map. Commissioners discussed the disadvantages of expanding Sky Ridge west instead of South at this point; including the road not being built yet and the sewer not in place. Bob Petersen asked if 2800 West was on the Master Plan as a Collector Road. Ms. Foran stated yes. Ms. Hall asked Frank to list the lots that are questionable for special setbacks and height restrictions. Mr. Lindhardt stated K166, K167, L168, L169, L170, L171, L172, and L173. Helmut Werlich asked if the engineering evaluation of the elevations on the land would be done. Chairman Cashin stated it is all engineered before it can be approved. Mr. Lindhardt stated they will keep as low as possible so sewer flow will work.

Branden Anderson motioned to recommend approval of application 2015-ZC-01 and application 2015-PSP-01 to City Council with the following conditions: that lots K166, K167, L168, L169, L170, L171, L172, and L173 have a 25 rear setback and all roofs on those lots have no greater than a 4:12 and 2680 West be punched through to the south property line. John Johnson seconded the motion. The vote was as follows; John Johnson-Aye, Yovonda Hall-Aye, Branden Anderson-Aye, Bill Wilkey-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Ryan Cashin-Aye, Paul Farthing-Abstained. Motion carried.

Commission: Election of Planning Commission chair. Bill Wilkey nominated Ryan Cashin for chair. John Johnson seconded the motion. Motion carried with all Commissioners voting aye. Yovonda Hall motioned to nominate Bob Petersen for vice chair. Ralph Ballard seconded the motion. Motion carried with all Commissioners voting aye

Discussion items:

1. **Review of RFP for Downtown Plan.** Toni stated there is money in the planning budget this year for a downtown plan. She stated part of the goal in the general plan was to designate a downtown area but there aren't any guidelines how to develop it. She gave the Commissioners copies of the RFP for the plan and asked for their opinions. . She stated she would like to get the proposal sent out so consultants can bid on it and see if it is something that is feasible with the budget. Yovonda asked if the consultant would be for the downtown plan only and not an employee. Toni explained a consultant would come up with different ideas, make contact with property owners, hold public meetings and come back with a plan. She read the request for proposal; *Hurricane City is requesting proposals for a consultant to work with the Planning Director and Recreation Director and City Manager to create a plan to promote diversity of use, build positive identity, help create economic growth, and bring the Downtown District of Hurricane into greater vitality, centering on the Community Center.* Yovonda asked how the Community Center was the center of the town. Toni stated that has always been the downtown area and is in the area that was classified as the historical downtown area. Darin stated that is part of the consultant's job to determine where the downtown area should be located. Toni stated Hurricane has a unique downtown because only there is only one historical architecture to center around. It could be an advantage to start with a blank slate and come up with something different. Commissioners agreed to remove "centering on the Community Center". Ralph excused himself at 7:00 p.m. Darin stated the City is trying to buy property around the Community Center to possibly use for parking. Toni stated she copied the goals from 2011

1 plan to give the consultant direction. What area was considered historic downtown was discussed. Bill
2 asked if the Downtown Policies are binding. Toni stated these are the goals to work towards. Bill stated
3 he thought it was great to start with clean slate to do something unique for the area but it should not be
4 limited to historical buildings. He stated Hurricane has other attractions than just historic to attract
5 people and thought another angle might be better. Toni stated she thinks it is vital to get property
6 owners involved. Paul commented he doesn't see this happening in the downtown area. He sees
7 something happening like it did in St. George where things start spreading out and not getting developed
8 in the downtown area. Darin stated the Hurricane area is so big there could be multiple pockets of
9 commercial area. It was decided to move forward with sending out the RFP for a consultant.

- 10 **2. Discussion regarding standards for vacation rentals in commercial zones.** Toni stated the recent
11 ordinance change focused more on residential zones and not commercial zones. She asked if the
12 vacation rentals are considered "hotels" or if vacation rentals should be specifically mentioned in the use
13 charts for commercial areas. Yovonda asked why it was left out that people can't rent just a room out of
14 their current home. Toni stated there was no way to enforce the transient lodging codes if people are
15 also living full time in a house. She stated parking can be issue as well.

- 16 **3. Staff reports and planning commission concerns.** Toni stated Darin mention the Food Cart Tuesday to
17 the City Council. Darin stated the City Council didn't have a lot of reaction one way or another but they
18 will discuss further at another meeting.

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20 **Approval of minutes:** Darin Larson stated on page 1, line 9 change Thomas to Larson. Branden Andersen stated
21 his name is spelled wrong. Mr. Andersen stated on page 4 line 44 needs to be changed to the majority of the
22 Commissioners not all Commissioners. *Branden Andersen motioned to approve the February 12, 2015 minutes*
23 *with the changes. Bill Wilkey seconded the motion. The vote was as follows; John Johnson-Aye, Yovonda Hall-*
24 *Aye, Branden Anderson-Aye, Bill Wilkey-Aye, Ralph Ballard-Aye, Bob Petersen-Aye, Ryan Cashin-Abstained, Paul*
25 *Farthing-Aye. Motion carried.*

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27 **Adjournment at 7:23 p.m.**
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